UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,894	05/22/2000	Phillip G. Rorex	9623/179	2173

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ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 02/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.		Applicant(s)	
Office Action Summary	09/575,894		ROREX ET AL.	
	Examiner		**Art Unit**	
	Khanh B. Pham		2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 September 2003*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1,3-16 and 18-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-16 and 18-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 September 2003* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *11* .

4)☐ Interview Summary (PTO-413) Paper No(s). _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: .

DETAILED ACTION

Response to Amendment

1.   The amendment filed September 11, 2003 has been entered.

*   The specification has been amended.

*   The abstract has been amended.

*   Claims 1, 7, 15-16, 18, 20-21, 23 have been amended.

*   Claims 2 and 17 have been canceled.

Drawings

2.   The replacement sheets of drawings were received on September 11, 2003.

These drawings are accepted.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4.   **Claims 1, 3-16, 18-22 are rejected under 35 U.S.C. 102(e)** as being anticipated

by Ryan et al (US 6,421,675 B1), hereinafter referred to as "Ryan".

   As per claim 1, Ryan teaches a method of generating a search result list, the

method comprising:

- "receiving a search request from a searcher" at Col. 4 lines 30-32 and Fig. 1A, step 18;

- "in a pay for placement database including a plurality of search listings identifying search listings generating a match with the search request" at Col. 4 lines 32-36 and Fig. 1A, step 20;

- "in a related search database including related search listings generated from the pay for placement database, identifying related search listings relevant to the search request" at Col. 4 lines 42-52 and Fig. 1, steps 32 and 38;

- "searching an inverted index of data obtained using the plurality of search listings of the pay for placement database" at Col. 27 lines 55-67 and Tables 3, 10;

- "searching meta-information obtained by analyzing the plurality of search listings of the pay for placement database to determine information and relationships present in the search listing" at Col. 31 lines 25-50

- "returning a search result list to the searcher including the identified search listings and one or more of the identified related search listings" at Col. 5 line 55-65 and Fig. 1, steps 22, 24, 26, 32 and 38.

As per claim 3, Ryan teaches the method of claim 1 further comprising:

- "sorting the identified related search listings by relevancy to the search request" at Col. 31 lines 25-50;

- "selecting a predetermined number of the identified related search listings as most relevant related search listings" at Col. 29 lines 10-20;

- "returning the most relevant related search listings in the search result list." at

  Col. 35 lines 24-32.

As per claim 4, Ryan teaches the method of claim 3 wherein sorting comprises:

- "selecting the identified related search listings according to frequency of

  occurrence of a queried term from the search request in the related search

  listings" at Col. 34 lines 35-55.

As per claim 5, Ryan teaches the method of claim 3 wherein sorting comprises:

- "selecting the identified related search listings according to proximity of one or

  more queried terms from the search request in the related search listings" at Col.

  29 lines 10-20.

As per claim 6, Ryan teaches the method of claim 3 wherein sorting comprises:

- "weighting the related search listings according to predetermined weighting

  criteria" at Col. 31 lines 25-50;

- "selecting the identified related search listings according to the weighting of the

  related search listings" at Col. 35 lines 25-30.

   As per claim 7, Ryan teaches the method of claim 6 wherein weighting the

related search listings comprises: "increasing relative weighting of a related search

listing which includes one or more bidded search terms identified by an advertiser" at

Col. 31 lines 25-50.

   As per claim 8, Ryan teaches the method of claim 6 wherein "weighting the

related search listings comprises: increasing relative weighting of a related search

listing which is contained in a description of a search listing identified by an advertiser"
at Col. 1 lines 45-67.

As per claim 9, Ryan teaches the method of claim 6 wherein "weighting the
related search listings comprises: increasing relative weighting of a related search
listing which is contained in a title of a search listing identified by an advertiser" at Col. 1
lines 45-67.

As per claim 10, Ryan teaches the method of claim 6 wherein "weighting the
related search listings comprises: increasing relative weighting of a related search
listing which is contained in metatag keywords of a web page maintained by an
advertiser" at Col. 28 lines 15-55.

As per claim 11, Ryan teaches the method of claim 6 wherein "weighting the
related search listings comprises: increasing relative weighting of a related search
listing which is contained in text data of a web page maintained by an advertiser" at Col.
31 lines 20-45.

As per claim 12, Ryan teaches the method of claim 3 wherein

- "sorting comprises: ranking the related search listings according to spread of the
  related search listings" at Col. 28 lines 18-45; and

- "selecting the identified related search listings according to the ranking of the
  related search listings" at Col. 28 lines 18-45.

As per claim 13, Ryan teaches the method of claim 12 wherein ranking
comprises:

- "identifying key information contained in the related search listings" at Col. 33 lines 35-55;

- "increasing ranking of a related search listing according to presence of the key information in the related search listing" at Col. 31 lines 20-45.

As per claim 14, Ryan teaches the method of claim 13 wherein "identifying key information comprises: detecting fielded advertiser data in the related search listing; and detecting crawled data in the related search listing" at Col 19 lines 1-55.

As per claim 15, Ryan teaches a system comprising:

- "a pay for placement database" at Col. 5 lines 47-65;

- "a related search database formed at least in part using the pay for placement database," at Col. 5 lines 59-64;

- "the related search database including a plurality of related search listings, each related search listing include a keyword associated with one document of the pay for placement database, and text of the one document" at Col. 5 lines 35-45;

- "a server coupled with the pay for placement database and the related search database, the server operative to select a first set of search results from the pay for placement database and a second set of search results from the related search database in response to a search request from a searcher" at Col. 4 lines 20-55 and Fig. 1.

As per claim 16, Ryan teaches the system of claim 15 wherein the pay for placement database comprises: "a plurality of search listings, each search listing including a search term, a bid amount, and a Uniform Resource Locator corresponding

to an address of a document on a network server remote from the system" at Col. 5

lines 49-64 and Col. 22 lines 49-55.

As per claim 18, Ryan teaches the system of claim 15 wherein "each search

listing of the plurality of search listings further comprises: descriptive text describing the

one document, a title, and metatags associated with the document" at Col. 18 lines 35-

55.

As per claim 19, Ryan teaches the system of claim 18 wherein each search

listing comprises: "the descriptive text associated with the one document, the title

associated with the one document, the metatags associated with the one document" at

Col. 18 lines 35-55.

As per claim 20, Ryan teaches a method for forming a related searches

database comprising:

- "storing as a related search database entry text from each web page referenced

  by a search listing of the pay for placement database" at Col. 19 lines 24-38;

- "creating an inverted index for the related search database entries" at col. 20

  lines 20-65;

- "creating an index for key information associated with each search listing of the

  pay for placement database" at Col. 20 lines 20-65.

As per claim 21, Ryan teaches the method of claim 20 wherein storing

comprises: "identifying similar web pages responsive to root path components and

query arguments of Uniform Resource Locators for two or more web pages referenced

by search listings of the pay for placement database; rejecting for storage similar web pages" at Col. 19 lines 1-12.

As per claim 22, Ryan teaches the method of claim 21, wherein identifying similar web pages comprises: "identifying first key words of a first web page, identifying second key words of a second web page, comparing the first key words and the second key words, when the first key words and the second key words have a predetermined relationship, identifying the first web page and the second web page as similar web pages" at Col. 19 lines 1-12.

5.   **Claims 23-25 are rejected under 35 U.S.C. 102(e)** as being anticipated by Goodman (US 5,999,929 A), hereinafter referred to as Goodman.

As per claim 23, Goodman teaches a method for searching data in a database including Internet data from Internet web sites, the method comprising:

- "forming a list of uniform resource locators (URLs) associated with internet web sites to be accessed" at Col. 3 lines 10-15;

- "removing duplicate URLs from the list if a URL on the list is similar to another URL on the list" at Col. 5 lines 10-20;

- "determining if a URL on the list is similar to another URL on the list; if the URL is not similar to another URL on the list, adding the URL to a list of URL to be crawled" at Col. 5 lines 10-20;

- "if a URL on the list is similar to another URL on the list, crawling a predetermined number of potentially duplicate URLs; comparing bodies of the URL on the list and the potentially duplicate URLs" at Col. 4 line 60 to Col. 5 line 4;

- "if the body of the URL on the list is similar to the body of the potentially duplicate URL, suspending crawling of the potentially duplicate URLs, and storing the body of the URL on the list in the database for subsequent search" at Col. 7 lines 50-60.

As per claim 24, Goodman teaches the method of claim 23 further comprising: "comparing a selected URL with other URLs on the list; and determining the URL is similar to the other URL on the list when the URL has a predetermined text portion in common with the other URL on the list" at Col. 7 lines 25-50.

As per claim 25, Goodman teaches the method of claim 23 wherein

- "comparing bodies of the URL on the list and the potentially duplicate URLs comprises: comparing text from the URL on the list and text from one potentially duplicate URL" at Col. 7 lines 25-50 ; and

- "determining the URL on the list is similar to the one potentially duplicate URL when the text from the URL on the list and the text from the one potentially duplicate URL have a predetermined text portion in common" at Col. 7 lines 25-65.

Response to Arguments

6.   Applicant's arguments filed September 11, 2003 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's arguments.

Applicant argued that Ryan does not teach or suggest: "searching an inverted index." On the contrary, Ryan teaches the related search database at Fig. 4 comprising "keyword table" (164) and "Keyword URL link table" (172), both of them are "relational database table" (Col. 11, line 13-14), and are searched in order to provide the related search listing as claimed. As seen at table 3 and 10, these tables are indexed using inverted indexing method based on keywords (i.e., "a single index entry is used to reference many database records", as defined in applicant's specification page 12, lines 14-17).

Applicant argued that Ryan does not teach or suggest: "searching meta-information... to determine information and relationships present in the search listing". On the contrary, Ryan teaches at Col. 31 lines 15-50 the keyword content data table which is used to describe information and relationships in the search listing. The table 12 includes meta-information for each keyword, wherein the meta-information comprises:

Keyword content data table **804** is illustrated in more detail in Table 12 below, and its characteristics are:

H is the cumulative number or hits for one time period for the keyword. This is the number of times people choose that keyword; 20

N is the number of times particular content **900** that is associated with a keyword has been sent out for display. This is not necessarily the same as H since content associated with a profile type may be have a different selection factor than content associated with the keyword. Tis selection factor can be various variables, such as votes or price; 25

A is the selection factor for the keyword from each content provider (e.g. a selection factor could be a $ bid to be associated with that keyword); 30

T is the total of the selection factors for each keyword and is the sum of A's; and

P is the content value, as determined by votes or price, for each keyword and is T/N (e.g. this could be the $ per time content is sent out with that key word—this is a price of being associated with that key word) 35

TABLE 12

Keyword	Cumulative hits for one month (H)	Amount of Content sent out (N)	Content Provider 1 (A1)	Content Provider 2 (A2)	Total (T)	(P)
Books						
Fish						

40

45

The meta-information associated with keywords is consistent with applicant's definition of "meta-information" at page 13, lines 1-14 recited below:

"Meta-information about the web pages and key words contained in the pay for placement database includes information such as the frequency of occurrence of similar key words among different web site domains and the number of different key words associated with a single website. The meta-information may further include fielded

advertiser data which is the information contained in each search listing provided by

web site promoters who have bid upon search terms in the pay for placement

database."

Regarding claims 15-19, applicant argued that Ryan does not teach: "each

related search listing includes a keyword associated with one document of a pay for

placement database and text of the one document". On the contrary, Ryan teaches the

related search database include "keywords" (70) and description (68), wherein

keywords are associated with document of a pay for placement database (Col. 7 lines

5-20) and description (68) comprises text of the document (Ryan teaches: "the

description is either the first few lines of the web-page or in the HTML coded "title", Col.

16 lines 6-7.)

Regarding claims 20-22, Applicant argued that Ryan does not teach: "storing in

a related search database entry text from each web page reference by a pay for

placement search listing." On the contrary, Ryan teaches storing the description of web

pages in the related search database, wherein "the description is either the first few

lines of the web-page or in the HTML coded "title" at Col. 16 lines 1-10.

Applicant argued that Ryan does not teach: "creating an inverted index and

creating an index for key information". As noted above, Ryan teaches the related search

database at Fig. 4 comprising "keyword table" (164) and "Keyword URL link table"

(172), both of them are "relational database table" (Col. 11, line 13-14), and are

searched in order to provide the related search listing as claimed. As seen at table 3

and 10, these tables are indexed using inverted indexing method based on keywords

(i.e., "a single index entry is used to reference many database records", as defined in applicant's specification page 12, lines 14-17).

Regarding claims 23-25, Applicant argued that Goodman does not teach "determining if a URL on the list is similar to another URL on the list; if the URL is not similar to another URL on the list, adding the URL to a list of URLs to be crawled". On the contrary, Goodman teaches a method for analyzing web page using a spider (i.e., URL crawling), wherein "the Web page analyzer analyzes the retrieved Web pages to identify duplicates and, when duplicates are located, will consolidate duplicates URLs in the class assignment" (Col. 5 lines 10-20). This step is similar to applicant's step above because only different URLs are added to the list; similar URLs are consolidated (i.e., grouped, combined) so that only 1 of the group is processed.

In light of the foregoing arguments, the 35 U.S.C 102 rejections are hereby sustained.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Khanh B. Pham whose telephone number is (703) 308-

7299. The examiner can normally be reached on Monday through Friday 7:30am to

4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

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Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham
Examiner
Art Unit 2177

KBP
February 2, 2004

JEAN R. HOMERE
PRIMARY EXAMINER